

REMARKS

The Office Action mailed February 17, 2006, and made final, and the Advisory Action dated May 4, 2006 have been carefully reviewed and the foregoing amendment has been made in consequence thereof.

Claims 1-60 are now pending in this application. Claims 1-60 stand rejected.

The rejection of Claims 1-60 under 35 U.S.C. § 103(a) as being unpatentable over PCT International Application Pub. No. WO 01/13261 to Juedes et al. (hereinafter referred to as "Juedes") in view of U.S. Patent No. 5,963,915 to Kirsch (hereinafter referred to as "Kirsch") is respectfully traversed.

Juedes describes a system 100 that fulfills orders placed by a customer 104 from a provider 106 of a product over the Internet 102. The provider sends the order information to an e-commerce hub 112 which arranges for transportation and delivery of the product. The hub software automatically selects, based on the order information and predetermined stored criteria, which of a plurality of predetermined carriers should be used to transport the product from the provider to the customer. Notably, Juedes does not allow an order change to be made by a user that is authorized by one of a delivery agent, a buyer, at least one supplier, a store, or a logistics intermediary, wherein allowance of the order change is based on: (a) a type of order change, (b) whether the user is acting as the delivery agent, the buyer, the at least one supplier, the store, or the logistics intermediary, (c) a level of the user, and (d) a security code.

Kirsch describes an internet computer system 10 wherein a conventional client computer 12 is connected to the Internet 14 by an Internet Service Provider (ISP) and a server computer system 16 is connected to the Internet by an ISP. The server computer, which is controlled by a local console 18, is configured to execute a Web server application. The client computer is configured to request a web page and permit the client to purchase items from the web page. After a client has accepted a purchase, an optional client PIN is provided

that may be checked and verified against the client record. Additional levels of authentication and security may be added, however, these levels include usage of an optional PIN, restrictions on shipping destinations, and email confirmation of orders. Further, these levels are limited to “a server process specific to the acceptance phase of initial purchase acceptance and confirmation.” Notably, Kirsch does not allow an order change to be made based on: (a) a type of order change, (b) whether the user is acting as the delivery agent, the buyer, the at least one supplier, the store, or the logistics intermediary, (c) a level of the user, and (d) a security code.

Claim 1 recites a method of managing a delivery schedule of an order using a system configured with a server which includes a goods delivery system, the order being delivered from at least one supplier to a respective delivery agent, and from the delivery agent to a respective buyer, the method comprising “...allowing an order change to be made by a user that is authorized by one of the delivery agent, the buyer, the at least one supplier, a store, or a logistics intermediary, wherein allowance of the order change is based on: (a) a type of order change, (b) whether the user is acting as the delivery agent, the buyer, the at least one supplier, the store, or the logistics intermediary, (c) a level of the user, and (d) a security code.”

Neither Juedes nor Kirsch, considered alone or in combination, describes or suggests a method of managing a delivery schedule as recited in Claim 1. Specifically, neither Juedes nor Kirsch, considered alone or in combination, describes or suggests a method that includes allowing an order change to be made by a user that is authorized by one of the delivery agent, the buyer, the at least one supplier, a store, or a logistics intermediary, wherein allowance of the order change is based on: (a) a type of order change, (b) whether the user is acting as the delivery agent, the buyer, the at least one supplier, the store, or the logistics intermediary, (c) a level of the user, and (d) a security code, as required by Applicants’ claimed invention.

Rather, in contrast to the present invention, Juedes describes a delivery system wherein an order status is updated or changed without regard to a user’s security level, the type of order change, and who or what entity the user is acting as. Kirsch does not overcome

the deficiencies of Juedes. Kirsch merely describes an optional PIN to verify the client user. Kirsch does not describe allowing an order change to be made wherein allowance is based on a number of factors.

For the reasons set forth above, Claim 1 is submitted to be patentable over Juedes in view of Kirsch.

Claims 2-14 depend from independent Claim 1. When the recitations of Claims 2-14 are considered in combination with the recitations of Claim 1, Applicants submit that dependent Claims 2-14 likewise are patentable over Juedes in view of Kirsch.

Claim 15 recites a method of managing a delivery schedule of an order using a system configured with a server, the order being delivered from at least one supplier to a respective delivery agent, and from the delivery agent to a respective buyer, the method comprising "...allowing an order change to be made by a user that is authorized by one of the delivery agent, the buyer, the at least one supplier, a store, or a logistics intermediary, wherein allowance of the order change is based on: (a) a type of order change, (b) whether the user is acting as the delivery agent, the buyer, the at least one supplier, the store, or the logistics intermediary, (c) a level of the user, and (d) a security code."

Neither Juedes nor Kirsch, considered alone or in combination, describes or suggests a method of managing a delivery schedule as recited in Claim 15. Specifically, neither Juedes nor Kirsch, considered alone or in combination, describes or suggests a method that includes allowing an order change to be made by a user that is authorized by one of the delivery agent, the buyer, the at least one supplier, a store, or a logistics intermediary, wherein allowance of the order change is based on: (a) a type of order change, (b) whether the user is acting as the delivery agent, the buyer, the at least one supplier, the store, or the logistics intermediary, (c) a level of the user, and (d) a security code, as required by Applicants' claimed invention.

Rather, in contrast to the present invention, Juedes describes a delivery system wherein an order status is updated or changed without regard to a user's security level, the

type of order change, and who or what entity the user is acting as. Kirsch does not overcome the deficiencies of Juedes. Kirsch merely describes an optional PIN to verify the client user. Kirsch does not describe allowing an order change to be made wherein allowance is based on a number of factors.

For the reasons set forth above, Claim 15 is submitted to be patentable over Juedes in view of Kirsch.

Claims 16-25 depend from independent Claim 15. When the recitations of Claims 16-25 are considered in combination with the recitations of Claim 15, Applicants submit that dependent Claims 16-25 likewise are patentable over Juedes in view of Kirsch.

Claim 26 recites a computer program storage medium readable by a computer system and encoding a computer program of instructions for executing a computer process for managing deliveries of a goods delivery system, the system employed to deliver an order from at least one supplier to a respective delivery agent, and from the delivery agent to a respective buyer, the computer process comprising the step of "...allowing an order change to be made by a user that is authorized by one of the delivery agent, the buyer, the at least one supplier, a store, or a logistics intermediary, wherein allowance of the order change is based on: (a) a type of order change, (b) whether the user is acting as the delivery agent, the buyer, the at least one supplier, the store, or the logistics intermediary, (c) a level of the user, and (d) a security code."

Neither Juedes nor Kirsch, considered alone or in combination, describes or suggests a computer program storage medium readable by a computer system and encoding a computer program of instructions for executing a computer process for managing deliveries of a goods delivery system as recited in Claim 26. Specifically, neither Juedes nor Kirsch, considered alone or in combination, describes or suggests a computer process that includes allowing an order change to be made by a user that is authorized by one of the delivery agent, the buyer, the at least one supplier, a store, or a logistics intermediary, wherein allowance of the order change is based on: (a) a type of order change, (b) whether the user is acting as the

delivery agent, the buyer, the at least one supplier, the store, or the logistics intermediary, (c) a level of the user, and (d) a security code, as required by Applicants' claimed invention.

Rather, in contrast to the present invention, Juedes describes a delivery system wherein an order status is updated or changed without regard to a user's security level, the type of order change, and who or what entity the user is acting as. Kirsch does not overcome the deficiencies of Juedes. Kirsch merely describes an optional PIN. Kirsch does not describe allowing an order change to be made wherein allowance is based on a number of factors.

For the reasons set forth above, Claim 26 is submitted to be patentable over Juedes in view of Kirsch.

Claims 27-39 depend from independent Claim 26. When the recitations of Claims 27-39 are considered in combination with the recitations of Claim 26, Applicants submit that dependent Claims 27-39 likewise are patentable over Juedes in view of Kirsch.

Claim 40 recites an apparatus for managing the delivery of an order from at least one supplier to a respective delivery agent, and from the delivery agent to a respective buyer, the apparatus comprising "...means for allowing an order change to be made by a user that is authorized by one of the delivery agent, the buyer, the at least one supplier, a store, or a logistics intermediary, wherein allowance of the order change is based on: (a) a type of order change, (b) whether the user is acting as the delivery agent, the buyer, the at least one supplier, the store, or the logistics intermediary, (c) a level of the user, and (d) a security code."

Neither Juedes nor Kirsch, considered alone or in combination, describes or suggests an apparatus for managing the delivery of an order as recited in Claim 40. Specifically, neither Juedes nor Kirsch, considered alone or in combination, describes or suggests an apparatus including a means for allowing an order change to be made by a user that is authorized by one of the delivery agent, the buyer, the at least one supplier, a store, or a logistics intermediary, wherein allowance of the order change is on: (a) a type of order

change, (b) whether the user is acting as the delivery agent, the buyer, the at least one supplier, the store, or the logistics intermediary, (c) a level of the user, and (d) a security code, as required by Applicants' claimed invention.

Rather, in contrast to the present invention, Juedes describes a delivery system wherein an order status is updated or changed without regard to a user's security level, the type of order change, and who or what entity the user is acting as. Kirsch does not overcome the deficiencies of Juedes. Kirsch merely describes an optional PIN. Kirsch does not describe allowing an order change to be made wherein allowance is based on a number of factors.

For the reasons set forth above, Claim 40 is submitted to be patentable over Juedes in view of Kirsch.

Claim 41 recites a method of managing a delivery schedule of a multiple brand order using a system configured with a server which includes a goods delivery system, the order being delivered from at least two suppliers to a respective delivery agent, and from the delivery agent to a respective buyer, the method comprising the step of "...allowing an order change to be made by a user that is authorized by one of the delivery agent, the buyer, the at least two suppliers, a store, or a logistics intermediary, wherein allowance of the order change is based on: (a) a type of order change, (b) whether the user is acting as the delivery agent, the buyer, one of the at least two suppliers, the store, or the logistics intermediary, (c) a level of the user, and (d) a security code."

Neither Juedes nor Kirsch, considered alone or in combination, describes or suggests a method of managing a delivery schedule of a multiple brand order as recited in Claim 41. Specifically, neither Juedes nor Kirsch, considered alone or in combination, describes or suggests a method including the step of allowing an order change to be made by a user that is authorized by one of the delivery agent, the buyer, the at least two suppliers, a store, or a logistics intermediary, wherein allowance of the order change is based on: (a) a type of order change, (b) whether the user is acting as the delivery agent, the buyer, one of the at least two

suppliers, the store, or the logistics intermediary, (c) a level of the user, and (d) a security code, as required by Applicants' claimed invention.

Rather, in contrast to the present invention, Juedes describes a delivery system wherein an order status is updated or changed without regard to a user's security level, the type of order change, and who or what entity the user is acting as. Kirsch does not overcome the deficiencies of Juedes. Kirsch merely describes an optional PIN. Kirsch does not describe allowing an order change to be made wherein allowance is based on a number of factors.

For the reasons set forth above, Claim 41 is submitted to be patentable over Juedes in view of Kirsch.

Claims 42-50 depend from independent Claim 41. When the recitations of Claims 42-50 are considered in combination with the recitations of Claim 41, Applicants submit that dependent Claims 42-50 likewise are patentable over Juedes in view of Kirsch.

Claim 51 recites a method of managing a delivery schedule of a multiple brand order using a system configured with a server which includes a goods delivery system, the order being delivered from at least two suppliers to a respective delivery agent, and from the delivery agent to a buyer, the method comprising the steps of "...allowing an order change to be made by a user that is authorized by one of the delivery agent, the buyer, the at least two suppliers, a store, or a logistics intermediary, wherein allowance of the order change is based on: (a) a type of order change, (b) whether the user is acting as the delivery agent, the buyer, one of the at least two suppliers, the store, or the logistics intermediary, (c) a level of the user, and (d) a security code."

Neither Juedes nor Kirsch, considered alone or in combination, describes or suggests a method of managing a delivery schedule of a multiple brand order as recited in Claim 51. Specifically, neither Juedes nor Kirsch, considered alone or in combination, describes or suggests a method that includes allowing an order change to be made by a user that is authorized by one of the delivery agent, the buyer, the at least two suppliers, a store, or a

logistics intermediary, wherein allowance of the order change is based on: (a) a type of order change, (b) whether the user is acting as the delivery agent, the buyer, one of the at least two suppliers, the store, or the logistics intermediary, (c) a level of the user, and (d) a security code.

Rather, in contrast to the present invention, Juedes describes a delivery system wherein an order status is updated or changed without regard to a user's security level, the type of order change, and who or what entity the user is acting as. Kirsch does not overcome the deficiencies of Juedes. Kirsch merely describes an optional PIN. Kirsch does not describe allowing an order change to be made wherein allowance is based on a number of factors.

For the reasons set forth above, Claim 51 is submitted to be patentable over Juedes in view of Kirsch.

Claims 52-60 depend from independent Claim 51. When the recitations of Claims 52-60 are considered in combination with the recitations of Claim 51, Applicants submit that dependent Claims 52-60 likewise are patentable over Juedes in view of Kirsch.

For the reasons set forth above, Applicants respectfully request that the Section 103 rejection of Claims 1-60 be withdrawn.

In view of the foregoing remarks, all the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action is respectfully solicited.

Respectfully submitted,

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